THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition (M/S) No. 621 of 2006
(Under Article 226/227 of the Constitution of India)

1. Atul Tyagi, S/O Sri Omkar Datt,
   R/O village- Chudiyala Mohanpur,
   Pargana Bhagwanpur, Tehsil Roorkee, Distt. Haridwar
   Through Power of Attorney Holder Sri Sudhir Kumar.
2. Sudhir Kumar Tyagi S/O Sri Ravi Datt Tyagi,
   R/O village- Chudiyala Mohanpur,
   Pargana Bhagwanpur, Tehsil Roorkee, District Haridwar.

… **Petitioners.**

Versus

1. Consolidation Officer (V), Roorkee,
   District- Haridwar.
2. Surendra Kumar
3. Dhirendra Kumar,
4. Virendra Kumar, All sons of late Hukum Chand,
   All R/o Village Chudiyaya Mohanpur, Pargana Bhagwanpur,
   Tehsil Roorkee, District- Haridwar.
5. Ravi Datt,
6. Janeshwar Prasad, Both sons of Sri Hardev Singh,
Both R/o Village- Chudiyala Mohanpur, Pargana
Bhagwanpur, Tehsil Roorkee, District- Haridwar.

… Respondents.

Sri Lokpal Singh, learned counsel for the petitioners.
Sri Atul Bansal Adv. holding brief learned Counsel for the State-respondent No. 1.

Dated May 24, 2006.

PC:

(Hon'ble B.S. Verma, J.)

Heard learned counsel.

The petitioners have filed the present Writ Petition for issue of a direction to the respondent no. 1 to decide Suit No. 345/5/84, Atul Kumar Vs. Hukum Singh pending before him expeditiously.

The record of the case discloses that the petitioners filed an objection under Section 9(A)(2) of the Consolidation of Holdings Act before the Court of Consolidation Officer Roorkee and the case is pending since the year 1996. According to the petitioners due to frequent adjournments of the case on one pretext or the other, the petitioners are likely to suffer loss. The learned counsel for the petitioners submitted that in the interest of justice, a direction for time bound disposal of the case be issued to the respondent no. 1.

In the facts and circumstances of the case particularly the fact that the case is pending since the year 1996, it will be in the fitness of things that the respondent no.1 be directed to expedite disposal of the case. Accordingly, the respondent no.1 is directed to decide the Case No.345/5/84, Atul Kumar Vs. Hukum Chand expeditiously, preferably within a period of six months from the date of production of certified copy of this order. Both the parties shall cooperate in the expeditious decision of the case.

With the aforesaid observation, the Writ Petition is disposed of finally.

(B.S. Verma, J.)

RCP